

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HENKEL CORPORATION,

Plaintiff,

Civil No. 05-70395
Hon. John Feikens

v.

CHARLES K. COX and
CHEMTOOL INCORPORATED,

Defendants.

**ORDER GRANTING PRELIMINARY INJUNCTION
WITH CORRECTED PARAGRAPH (A)**

This Court having found¹ that Plaintiff has demonstrated the four factors necessary for the granting of a preliminary injunction, including a likelihood of success on the merits and irreparable harm, I hereby GRANT Plaintiff's Motion for a Preliminary Injunction and now issue the following injunctive relief to remain in effect until the final disposition of this matter. Basicomputer Corp. v. Scott, 973 F.2d 507, 511 (6th Cir. 1992).

(A) Defendants Chemtool and Cox shall not use any alleged trade secret information of Plaintiff's obtained by Defendant Charles Cox.²

¹As I indicated from the bench on March 16, 2005, I will issue a written opinion further explaining my findings of fact and law in support of this injunction.

²Due to this Court's error, the previous version of this Order, entered March 17, 2005, omitted Defendant Cox's name from the provision prohibiting use of the alleged trade secrets.

(B) Cox shall be employed by Chemtool, at Chemtool's Elkhorn, WI facility, in the research and development of manufacturing processes and raw materials used therein, of colloidal silica solutions, ceramics and/or water treatment chemicals.

(C) Cox shall not:

- (1) Contact any customer Cox previously had contact with while an employee of Henkel Corp.;
- (2) Have access to the Chemtool internal network; or
- (3) Contact, send any e-mails, or give any electronic media to Chemtool employees engaged in any business line that competes or plans to compete with Henkel.

(D) Any other Chemtool employee or officer who had access to any of the alleged trade secrets at issue shall not:

- (1) Contact any customer Cox previously had contact with while an employee of Henkel Corp. about a product that competes or plans to compete with Henkel.

(E) In addition, Cox and any other Chemtool employee or officer who had access to any of the alleged trade secrets at issue shall:

- 1) On April 8, 2005, and no more than once a month thereafter, allow Plaintiff to image any computer or electronic media in his possession,

control, or use to ensure compliance with this Court's orders, subject to
the attorney's eyes only confidentiality agreement of the parties.

IT IS SO ORDERED.

____s/John Feikens_____
John Feikens
United States District Judge

Date: ____March 21, 2005____